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In re application of : **DECISION ON PETITION**
Douglas C. Fisher et al. : **TO MAKE SPECIAL**
Application No. 10/066,174 : **(COUNTER TERRORISM)**
Filed: January 29, 2002
For: **PERSISTENT DYNAMIC PAYMENT SERVICE**

This is in response to the petition filed on February 28, 2002 to make the above-identified application special on the basis of inventions for countering terrorism as set forth in MPEP § 708.02, XI.

The requirements for granting special status under this section are: (A) a petition to make special accompanied by the fee set forth in 37 CFR 1.17(h); and (B) a statement explaining how the invention contributes to countering terrorism.

Applicant's invention pertains to securing credit card transactions. Applicant's petition to make special includes, *inter alia*, a statement by applicant's attorney, Mr. Howard E. Lebowitz, explaining how the invention contributes to countering terrorism. The petition states that the "A basic embodiment of the invention is an improvement to the existing process for making an online payment... wherein the improvement comprises making an on-line third party service available to the payer." The petition further states "Terrorists using credit card fraud as a means of financing their operations would find increased difficulty... since stolen credit cards could not be used without authentication on the persistent channel".

Since all of the requirements for special status under MPEP § 708.02 XI have been met, the petition is **GRANTED**.

The examiner is directed (1) to make an interference search for possible interfering applications, (2) to promptly examine this application out of turn, and (3) if any interfering application is discovered, to examine such application simultaneously and state in the first official letter of such application that it is being taken out of turn because of a possible interference.

Petitioner is advised that this application will continue to be special, throughout its entire prosecution and pendency, including interference or appeal, if any, only if petitioner makes a prompt ***bona fide*** effort, in response to each Office action, to place the application in condition for allowance, even if it is necessary to conduct an interview with the examiner to accomplish this purpose.

SUMMARY: Petition to Make Special **GRANTED**.



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snm/snm: 11/19/04